



Lincoln Metropolitan Planning Organization

County-City Building
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Lincoln, Nebraska 68508
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Proposal to Amend the MPO Public Participation Plan

Recommendation: Endorsement on this amendment to the Lincoln Metropolitan Planning Organization (MPO) *Public Participation Plan* to include the Title VI Civil Rights Plan and Limited English Proficiency Program of the City of Lincoln.

Discussion

In accordance with federal regulations, the Lincoln Metropolitan Planning Organization (MPO) held a forty-five (45) day public review for the attached **amendment to the Public Participation Plan**. Written comments on the proposed changes were requested starting **December 28, 2013** and ended on **February 10, 2014**. Public notices for this amendment were; 1) posted on the MPO webpage, 2) posted in the Lincoln Journal-Star, Public Notice section, and 3) sent via email to individuals on the MPO mailing list. Additional comments can be accepted at the MPO Technical and Officials Committee meetings.

The proposed changes to the Public Participation Plan address the following issues:

- 1) Update to reflect the **Limited English Proficiency (LEP) Program Plan** of the City of Lincoln as an MPO policy. Per Executive Order 13166 all individuals who do not speak English as their primary language and who have a limited ability to read, speak, write or understand English are must be given an opportunity to be included in the MPO transportation planning process. It is the policy of the City of Lincoln and MPO to take reasonable steps to ensure meaningful access to all programs and activities by LEP persons. The LEP Program Plan is posted on the City of Lincoln website at www.lincoln.ne.gov.
- 2) Clarify the MPO **Accommodations Policy** which is to comply with Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act of 1990 (ADA) and related federal and state laws and regulations which forbid discrimination against those who have disabilities. This policy will ensure all persons will have access to and the ability to participate in public meetings.

The *proposed* revisions to the Public Participation Plan are attached. The current **Public Participation Plan** is located at the MPO web page: <http://www.lincoln.ne.gov/city/plan/mpo/ppp.pdf>

No comments on the *proposed* revisions have been received at this time (January 30, 2014).

Public Participation Plan *proposed* Revisions

10. **The Limited English Proficiency (LEP) Program Plan** for the MPO was coordinated with the City of Lincoln. The Lincoln MPO is located in the City of Lincoln local government structure and the MPO determined it would be best to have a common LEP policy and procedures to ensure adequate outreach to all Lincoln residents. The LEP Plan is posted on the City of Lincoln website: www.lincoln.ne.gov.

Per Executive Order 13166 all recipients of Federal-aid are required to take reasonable steps to ensure meaningful access to their programs and activities by persons with Limited English Proficiencies (LEP). This states that individuals who do not speak English as their primary language and who have a limited ability to read, speak, write or understand English are to be included in the MPO transportation planning process. It is the MPO's policy that persons not proficient in English will be able to obtain executive summaries of public engagement pieces on key planning activities, such as brochures or newsletters, in frequently used languages.

While designed to be a flexible and fact-dependent standard, the starting point of the LEP Plan is an individualized assessment that balances the following four factors:

1. The number or proportion of LEP persons eligible to be served or likely to be encountered by the MPO's programs, services or activities;
2. The frequency with which LEP individuals come in contact with these programs, services or activities;
3. The nature and importance of the program, service, or activity to people's lives;
4. The resources available to assist LEP persons.

The MPO takes reasonable steps to ensure meaningful access to all programs and activities by LEP persons. During the long range transportation planning process, information is provided in languages other than English when feasible to reach the affected public or interested parties. Translators, including sign language, are also considered and made available at select locations and times.

The LEP Plan will be periodically updated as needed and will be considered an appendix to the current adopted Public Participation Plan (PPP). The MPO does not intend that the LEP Plan exclude anyone requiring language assistance and will attempt to accommodate all requests.

City of Lincoln LEP Documents / Resolutions

Adopting the *City of Lincoln Title VI Limited English Proficiency Program Plan* to satisfy federal compliance requirements. - Public Hearing w/action 12/09/13; Adopted, 7-0. (Resolution A-87687)

11. **Accommodations are made to Serve Persons with Disabilities in Compliance with the ADA/504.** Section 504 of the Rehabilitation Act of 1973 (Section 504), the Americans with Disabilities Act of 1990 (ADA) and related federal and state laws and regulations forbid discrimination against those who have disabilities. These laws require federal aid recipients and other government entities to take affirmative steps to reasonably accommodate the disabled and ensure that their needs are equitably represented in the transportation planning process.

The Lincoln MPO endeavors to ensure that its facilities, programs, services, and activities are available to those with disabilities in accordance with the Americans with Disabilities Act (ADA). The MPO also actively seeks out disabled communities and service groups to ensure their input into the MPO's programs, services and activities. The MPO will make every effort to ensure that its facilities, programs, services, and activities are accessible to those with disabilities. The MPO encourages the public to report any facility, program, service or activity within the planning area that appears inaccessible to the disabled. Furthermore, the MPO will provide reasonable accommodation to disabled individuals who wish to participate in meetings, public participation activities, or other events or programs of the MPO, or who require special assistance to access MPO facilities, programs, services or activities. Because providing reasonable accommodation may require outside assistance, organization or resources, the MPO asks that requests be made as soon as possible prior to the need for accommodation.

Special Accommodations

If any person requires special accommodations at public meetings for language interpretation, sign language, or large print, please contact our office at 441-7491, and we will make our best efforts to accommodate you.

City of Lincoln Title VI Documents / Resolutions

Designating Kimberly Taylor-Riley, Director, Commission on Human Rights and Equal Opportunity Officer as the City's Title VI Coordinator for Purposes of the City's Title VI Civil Rights Plan. 04/02/12 - Adopted, 7-0. (Resolution A-86748)

Designating a replacement Title VI Coordinator for the City's Title VI Civil Rights Plan. - 11/15/10 - Adopted, 7-0. (Resolution A-86115)

Adopting the *City of Lincoln Title VI Civil Rights Plan* to satisfy Federal compliance requirements related to qualification for the receipt of Federal Aid Transportation Project Funds. - Public Hearing w/action 05/10/10; Adopted as Amended, 7-0. (Resolution A-85839)

Questions, concerns, comments or requests for accommodation should be made to the Director of Equity & Diversity or the Title VI Co-coordinator:

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